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opportunity knocks or opportunity wasted?

A once in a decade chance to get things right

Major changes in housing law and regulation come along roughly every ten years. We're now just a few weeks away from the latest changes taking full effect - against a backdrop of potentially big shifts in politics and policy, recession and austerity.

So, is the Tenant Services Authority's proposed national standards framework a golden opportunity for housing providers to do things better, or is it a lost opportunity that's already been undermined by compromise and confusion?

This White Paper helps you make sense of the new framework and suggests how far-sighted people like you and forward-thinking organisations like yours should be getting ready for what's to come.

On the other hand, if you're one of the (mercifully rare) housing professionals or organisations who still haven't got the message about the need to respect, engage and serve your customers well, read no further. Your days are numbered...

The Bridge Group says:

Don't wait for the new framework to come into force in April - make sure your staff and customers know all about it and start preparing for the new standards now.

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bold intentions

But will they be realised?

You can't fault the ambition and vision behind the 2008 Housing and Regeneration Act, from which most of the current changes stem. The idea was to create real choice in the social housing market for the first time and to consign poor service and indifferent landlords to history forever.

Great stuff: but will the reality of the new approach to funding, regulation and inspection match up to these bold intentions?

As is so often the case, it's how the big policy ideas are translated into everyday details that really counts - and how the organisations subject to the new framework react and respond to the new regime.

And the ultimate test is what will all this change mean for the residents who live in the homes and communities created, and who use and pay for the services provided? If all these shifts in standards, regulation and inspection can't deliver tangible, positive benefits for customers and neighbourhoods, then what's the point?

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The Bridge Group says:

It's professionals like you who will decide whether the vision of the 2008 Act becomes a reality. No pressure!



the big six

Standards you need to know and love

The centrepiece of the Tenant Services Authority's proposed new framework is a set of six standards that registered housing providers (housing associations, councils and arm's length organisations) are required to meet.

These cover:

- **Tenant involvement** and empowerment (including equalities, customer service and complaints)
- **Home** (including repairs and maintenance)
- **Tenancy** (including lettings and rent)
- **Neighbourhood and community** (including anti-social behaviour)
- **Value for money**
- **Governance and viability** (this standard won't apply to local authorities).

See the Tenant Services Authority publication '[A new regulatory framework for social housing in England](#)' for full details of the final draft standards.

It's good that these standards have been boiled down from the longer list suggested in the first stage of consultation. And at a glance, they seem to cover all the key issues raised during last year's National Conversation and the things that make up the daily concerns of most residents and housing managers.

But there's more to the new framework than this. The six standards are underpinned by ten 'principles for co-regulation', which set out how the Tenant Services Authority expects the new approach to work in practice. These principles cover some uncontroversial points like clarity, transparency and diversity. But they also introduce some important expectations (such as providers having to agree and deliver further local standards), and a clear plan to tackle the worst-performing organisations first. Providers will also - eventually - be expected to pay a fee for regulation, although this has been deferred for now.

And of course the 2008 Act gave the Tenant Services Authority some robust new enforcement powers to take action against poor-performing landlords. These include financial penalties, tenant compensation awards and, in extreme cases, compulsory management tenders, transfers or mergers.

All of this is set against a backdrop of the Government trying to reduce the burden of regulation on public service organisations. But there's a series of staged deadlines for providers to respond to and meet the new standards that suggest this might take a while to take hold. The new framework should come into force from 1 April 2010, after which, it's proposed that providers must:

- Produce plans for local standards and an initial report on how they meet the six key standards (by 1 October 2010)
- Put local standards into practice (by 1 April 2011)
- Produce a first annual performance report against the national standards (by 1 July 2011).

It's good to be ambitious, but there's surely a risk that these deadlines will distract providers from their normal service priorities and - at worst - create a new mini-industry of internal scrutiny and reporting. The framework is only intended to apply to providers with more than 1000 homes, but even so, this could still leave lots of medium-sized organisations encumbered with some rather hefty expectations and challenging deadlines.

And of course there's the small matter of a General Election (probably on 6 May 2010), which could alter the picture quite radically - especially if an incoming Conservative government chose to abolish the Tenant Services Authority in its cull of quangos. It seems unlikely though that a new government would completely bin all the work that's been done, so the outline and principles of the framework should continue, even if some of the names and details change.

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The Bridge Group says:

Like them or loathe them, don't expect these key standards to change much at this late stage. Start thinking now about how you measure up and how you'll meet these deadlines.



how local is local?

Time for you to decide

The requirement to consult residents about supplementary local standards is positive and reasonable - although the track record of meaningful customer engagement in 'top down' initiatives like this is rather mixed (remember Best Value and Tenant Participation Compacts?).

Understandably, the Tenant Services Authority's proposals don't define or prescribe what 'local' means, when it comes to setting and delivering local standards. Unless there are strong, existing local identities and characteristics to shape providers' services (for example, town boundaries), it's difficult to imagine huge support for and interest in large-scale interpretations of the word 'local'.

It's much more likely that residents will want to see really local change, influence and control - right down to street, estate, block or scheme level.

Offering local standards at this scale could open up some exciting possibilities for landlords to respond to customers' profiles and needs - but could also test some organisations' flexibility and culture.

The framework's focus on 'local' suggests that the regulator is continuing to define communities as largely being about spatial locations, based around physical assets. This is only part of the picture - we all increasingly think and behave in a more complex, multi-layered way that sees communities in different and sometimes virtual ways (for example, faith, age and leisure pursuits). Twenty-first century housing services need to recognise and respond to these new definitions of community in more imaginative and effective ways.

The Bridge Group says:

You need to work out with your customers what local means to you and them - and how this can help you to deliver better, more tailored services.

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too much detail - or not enough

Can the TSA get it right?

The Tenant Services Authority should be congratulated for focusing on just six, easy-to-remember standards. The new framework will also supersede dozens of existing circulars, policies and other official publications. But, the level of detail and description within some of the standards is a bit excessive; while in others, it feels undercooked.

The proposed text for the 'Home' standard runs to five pages, including nine specific requirements. But the Neighbourhood and Community standard is much shorter and less demanding. The section on 'local area co-operation' seems particularly cautious and qualified - talking about housing providers getting involved in wider community roles 'where they are able' and 'having taken account of their presence and impact'.

This feels like a retreat from the 'Housing Plus' agenda that developed from the 1990s - and almost like a decoupling from the bold, joined-up vision set out by the Homes and Communities Agency and its early focus on wellbeing and sustainability. Organisations that have transformed themselves into social investment agencies over the last decade could be left asking why they bothered. While those that have taken a narrower view of the landlord role, could feel (wrongly) vindicated.

As it stands, the proposed 'Neighbourhood and Community' standard certainly doesn't seem like an endorsement of housing providers' role in local partnerships or a call to action for them to do more. This is a concern, which it would be reassuring to see addressed in the final framework.

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The Bridge Group says:

The final standards would really benefit from a thorough plain language pruning! If the TSA doesn't do this, you'll need to cut through the complexity to work out what the standards really mean for you.



involve or empower?

Let's get this straight

It's great to see 'Tenant Involvement and Empowerment' at the top of the six main standards - reflecting the Tenant Services Authority's aim to champion the interests of tenants. It's also refreshing to see customer service linked directly to customers' rights to get involved with and shape the services they pay for and receive.

The preamble to the standard says that 'involvement and empowerment are not the same thing' and then proceeds to define what the Tenant Services Authority thinks they mean:

Empowerment requires information, the ability to be heard, to hold providers to account, to influence service delivery and the decisions that providers take. Tenant empowerment needs to be both individual and collective and requires a proactive approach by providers.

Tenant involvement is a technique by which tenant empowerment is enabled. Tenants have a right to have their voice heard and to be consulted on issues that affect them and to know how their landlord will have regard to their views. Effective involvement must take into account equality and diversity issues and avoid discriminatory processes to ensure all tenants have an opportunity to contribute and to be heard.

Apart from being rather dense and wordy, these definitions don't feel quite right. Surely **involvement** needs to be much more than a technique - it's a fundamental right for customers to influence how service providers work. It should also include a reasonable expectation that providers will make it their business to get involved in the things that really matter to residents, whether they're directly related to housing or not.

Empowerment meanwhile, is not just about holding providers to account and taking part in decisions. It's more to do with boosting the confidence, skills and capacity of residents to play a central role in their communities, and working in ways that positively encourage and develop this.

If customer involvement and engagement is going to keep on moving forward, there needs to be a clearer understanding of what terms like involvement and empowerment mean, so that residents and providers can put them into action.

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The Bridge Group says:

The TSA really needs to get this clear - in its own mind first. Involving and empowering customers has long since ceased to be a desirable extra - it's what housing business should be all about.



making an impact - and proving it

A backward step?

There's a notable omission from the Involvement and Empowerment standard - the requirement for providers to carry out annual impact assessments to show what difference their involvement makes.

Although many organisations were slow to get to grips with this requirement when it was introduced in 2004, some have become very good at it in recent years. [Soha Housing's annual impact report](#) is an excellent example of good practice. Soha Housing has just become the first housing provider to score top marks from the Audit Commission for both resident involvement and value for money, so their approach clearly works!

By focusing on the real change and improvement arising from involvement, landlords have been able to target their resources better, and free themselves from old-fashioned groups and structures. Removing the requirement to prove the value and impact of involvement seems like a backward step.

The Bridge Group says:

Even if the requirement to do involvement impact assessments disappears, don't waste all the good work you've done on this. Proving that every pound and hour you spend on customer involvement makes a difference is time well spent.

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short notice - the shape of future inspections

KLOE grows up

The Audit Commission and Tenant Services Authority have announced a 'fundamental change' in the way inspections link to the regulatory regime, to come into force from 1 October 2010. This is welcome, since the relationship between the new national standards and the Audit Commission's Key Lines of Enquiry (KLOEs) wasn't worked out or explained at the time of the 2008 Act.

Subject to some upcoming consultation, the new approach to inspection looks set to build on the 'short notice' technique developed in recent years, with most attention paid to poor-performing organisations.

Some of the new-style, short-notice, inspection reports make punchy and compelling reading. Used properly, they should be a really valuable tool for providers to digest and act on inspectors' feedback. For residents, they're an accessible way of seeing how their landlord matches up and of holding them to account.

The [direction of travel on inspection](#) looks promising, so if the intricacies of the national and local standards vs Key Lines of Enquiry can be resolved, the lighter-touch, short notice approach has much to commend it.

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The Bridge Group says:

Make your views heard in the consultation about the new approach to inspection. This is another once in a decade opportunity to get it right!



a new national voice

Have you heard it yet?

The National Tenant Voice is now taking shape and has recruited some excellent, independent-minded people to its National Council. Because it was created by separate legislation to the rest of the new funding and regulatory regime, the organisation is going to have to work hard to catch up and establish its role. Above all, it needs to avoid the impression that it has been brought in as a legislative afterthought.

It will also be vital for the National Tenant Voice to get the message across about what it is and what it's not. It's not a representative or elected body and in many ways, it's the exact opposite of traditional, group-based, grass roots involvement.

Its unique selling point is that, through its National Council, the organisation has been designed to reflect the diversity of social housing in England, and it will have a direct line into policy-making and shaping.

Time (and politics) will tell, but the National Tenant Voice deserves a fair hearing and the support of all residents and registered providers. It has the potential to be very influential.

The Bridge Group says:

Give the National Tenant Voice a warm welcome by getting in touch with a National Council member near you. Make sure your residents know how to contact and make the most of this new body.

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getting prepared

Ten things you need to do - NOW!

Here are some things housing providers should be doing right now, to make sense of and respond to the proposed new framework:

1. **Have your say - respond to the statutory consultation** by 5 February 2010 - either individually or via the [Chartered Institute of Housing](#) or [National Housing Federation](#). And don't grumble if you dislike the final standards when they come out - you've had your chance!
2. **Watch the pilot show** - 37 pioneering housing providers are currently running [local standards pilot projects](#) to test different approaches to this part of the Tenant Services Authority's proposed new framework. The pilots cover the first four of the 'big six' national standards, so keep an eye on how these work out and learn from their experiences.
3. **Get ready to engage** - take a long, hard look at the arrangements you've got in place to consult and communicate with residents. And check that your staff and culture are ready to work with residents as more than equals. Think about how often your staff and customers make contact outside of formal service settings? Building these deeper, personal relationships is the key to successful customer engagement.
4. **Think about everyone** - how well do you really know your customers? And how well do you respect and cater for the myriad differences in the communities you serve? Check that your approach to customer profiling is up to scratch and that your approach to engagement is reaching out to everyone - especially young people and others who are less likely to get involved in traditional ways.
5. **Communicate, communicate, communicate** - make no mistake, there are big changes coming your way. Your communications strategy needs to ensure that all your stakeholders; residents, staff, governing body members and partners know exactly how the new standards will affect them and what you're doing to respond to the new regime. But don't overload people with more emails - get out and talk to your stakeholders about the new framework face-to-face.



6. **Try some new things** - fewer and fewer people have the time or inclination to turn out to meetings. The good news is; social networks, mobile phones and digital television mean you can deliver messages straight into people's pockets, handbags and living rooms - and get instant feedback when you need it. But as some service providers have found to their cost, the instantaneous world of online networks carries some risks. So you need **a clear strategy** to manage these and avoid the pitfalls of uncontrolled facebooking and twittering.
7. **Give people something** - how many of us take the time to fill in a survey unless there's at least the chance of winning a prize? If the views of customers and other stakeholders are really important to your business don't expect to get this market intelligence for free. If you haven't already got a customer reward scheme, then now is the time to get one. If you think that getting involved is a positive behaviour, then you need to acknowledge and reward people for it. In our experience, offering incentives and gifts always boosts the quantity and quality of involvement.
8. **Look sideways** - don't forget that it's not just housing providers who are grappling with new regulations, standards and ways of working. Local authorities are being encouraged to think and do more and more about 'making places' - blending policies, investment and services to have the greatest local effect. Compared to many other public services, housing is way ahead of the game in terms of customer engagement; so keep sharing your good practice and new ideas with your local partners. Housing deserves a seat at the strategic table; so don't get squeezed out by the big boys and girls.
9. **Get the message across** - the Tenant Services Authority's new reporting requirements call for some creative and fresh approaches to explaining performance and celebrating your successes. A few coloured pie charts and a bland media release just won't do any more. Get your communications up to 21st century standards, or you might get left behind.
10. **Be brave** - all this change may seem daunting, but you can come through it - and will grow and benefit from the experience. If the new standards don't seem to match up to what you're already doing or planning, then don't dumb it down. Stick to your principles and do what you know is right - for you and your customers.

the Bridge Group

Help if you need it

We've written this White Paper and are keeping a close eye on the proposed regulatory changes because they affect everything we do.

The Bridge Group is an engagement, marketing, communications and research company, specialising in the housing, community and non-profit sectors.

So if you need help or advice to respond to any aspects of the new framework, or to act on the ten points above, we're the people to speak to. We can help you:

- Assess how you measure up to the new framework and put together your initial report to the Tenant Services Authority
- Consult about and implement local standards with residents
- Develop your strategies, policies and working practices to meet the challenges of the new decade and beyond
- Update your online and printed publications to reflect the new standards
- Tell everyone who needs to know how you're responding to the new requirements and opportunities
- Engage people in new, exciting and cost-effective ways - including younger people and traditionally excluded groups
- Train and support your team to prepare for and cope with the new world
- Promote your best practice and success through proactive communications.



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